

# **EXHIBIT 1**

5/9/2014 3:21 PM

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

**IN RE: NATIONAL COLLEGIATE  
ATHLETIC ASSOCIATION STUDENT-  
ATHLETE CONCUSSION LITIGATION**

MDL NO. 2492  
Case No. 13-cv-09116

Judge John Z. Lee

Magistrate Judge Brown

**[PROPOSED] AGREED ORDER FOR APPOINTMENT OF COUNSEL FOR  
THE MEDICAL MONITORING PLAINTIFFS**

Upon the Agreed Motion of the Medical Monitoring Plaintiffs for appointment of Plaintiffs' Co-Lead Class Counsel, Special Class Counsel, and an Executive Committee, and it appearing to the Court that the appointment of counsel is necessary to the efficient administration of this case, it is hereby ORDERED as follows:

1. Pursuant to Fed. R. Civ. P. 23(g), and based on the qualifications set forth in the declarations of counsel submitted to the Court, the Court appoints the following as Co-Lead Counsel for the proposed class of current and former NCAA student-athletes:

Steve W. Berman  
Hagens Berman Sobol Shapiro LLP  
1918 8th Ave  
Suite 3300  
Seattle, WA 98101  
(206) 623-7292  
Email: [steve@hbsslaw.com](mailto:steve@hbsslaw.com)

Joseph J. Siprut  
Siprut PC  
17 North State Street  
Suite 1600  
Chicago, IL 60602  
Phone: (312) 236-0000  
Email: [jsiprut@siprut.com](mailto:jsiprut@siprut.com)

2. Pursuant to Fed. R. Civ. P. 23(g), and based on the qualifications set forth in the declarations of counsel, submitted to the Court, the Court appoints as Special Class Counsel for Monitoring Relief:

Richard S. Lewis  
Hausfeld LLP  
1700 K Street, NW  
Washington, DC 20006  
Phone: (202) 540-7200  
Email: rlewis@hausfeldllp.com

3. Pursuant to Fed. R. Civ. P. 23(g), the Court appoints the following as members of the Executive Committee for the proposed class of current and former NCAA student-athletes:

Charles S. Zimmerman  
Zimmerman Reed, PLLP  
1100 IDS Center, 80 South 8th Street  
Minneapolis, MN 55402  
Phone: (612) 341-0400  
Email: Charles.Zimmerman@zimmreed.com

Mark Zamora  
The Orlando Firm, PC  
315 East Ponce De Leon Ave. #400  
Decatur, GA 30030  
Phone: (404) 373-1800  
Email: mark@orlandofirm.com

James R. Dugan, II, Esq.  
The Dugan Law Firm, APLC  
One Canal Place  
365 Canal Street, Suite 1000  
New Orleans, LA 70130  
Phone: (504) 648-0180  
Email: jdugan@dugan-lawfirm.com

4. Co-Lead Counsel are expected to maintain communications and promote harmonious dealings among all plaintiffs' counsel. In addition, Co-Lead Class Counsel shall provide general supervision of the activities of plaintiffs' counsel.

5. Co-Lead Counsel shall have authority on the following matters on behalf of the putative class and all plaintiffs in this consolidated action: (a) convening meetings of counsel; (b) the initiation, response, scheduling, briefing and argument of all motions; (c) the scope, order and conduct of all discovery proceedings; (d) making such work assignments to other counsel as they may deem appropriate; (e) collecting time and expense reports from all

Plaintiffs' counsel on a periodic basis; (f) communication with counsel for defendants; and (g) any and all other matters concerning the prosecution of or resolution of their respective cases. Co-Lead Counsel shall confer with Special Class Counsel for Monitoring Relief and the Executive Committee on these matters.

6. Co-Lead Counsel and Special Class Counsel for Monitoring Relief shall have shared authority over the retention of experts and settlement negotiations with Defendants. They shall confer with the Executive Committee on these matters.

7. All Plaintiffs' counsel shall work together to ensure that all work necessary to prosecute this action is allocated based on the skills and abilities of counsel representing the class, and that such decisions shall not be made on the basis of whether a firm is, or is not, Co-Lead Counsel.

8. All plaintiffs' counsel in these consolidated class actions must keep contemporaneous time and expense records and submit them periodically to Co-Lead Counsel or their designee.

9. The Court recognizes that cooperation by and among counsel is essential for the orderly and expeditious resolution of this litigation. Accordingly, the mere communication of otherwise privileged information between and among plaintiffs' counsel shall not be deemed a waiver of the attorney-client privilege or the work product doctrine.

10. Counsel for all parties are directed to cooperate with one another, wherever possible, to promote the expeditious handling of pre-trial proceedings in this action.

IT IS SO ORDERED:

Dated: \_\_\_\_\_, 2014

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HONORABLE JOHN Z. LEE  
UNITED STATES DISTRICT JUDGE